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MAR 30 2011

NEBRASKA LIQUOR  
CONTROL COMMISSION

ORDINANCE NO. 5-2011

AN ORDINANCE TO AMEND CHAPTER 10, ARTICLE 1 OF THE WAKEFIELD MUNICIPAL CODE RELATING TO THE HOURS OF SALE OF ALCOHOLIC BEVERAGES; TO ALLOW WITH THE PROPER PERMIT THE RETAIL SALE OR DISPENSING OF ALCOHOLIC LIQUOR FOR CONSUMPTION ON THE PREMISES, EXCLUDING SALES FOR CONSUMPTION OFF THE PREMISES, LATER THAN 1:00 O'CLOCK A.M. AND PRIOR TO 2:00 A.M. ON ANY DAY; TO REPEAL CONFLICTING ORDINANCES AND SECTIONS; AND TO PROVIDE AN EFFECTIVE DATE.

BE IT HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF WAKEFIELD, NEBRASKA:

Section 1: Section 10-117 of the Municipal Code of the City of Wakefield, Nebraska, is hereby amended to read as follows:

§10-117 Alcoholic Beverages; Hours of Sale.

(1) It shall be unlawful for any person or persons to sell at retail or dispense any alcoholic liquor, including beer, between the hours of 1:00 o'clock A.M. and 6:00 o'clock A.M. Provided, however, that a retail licensee may apply for a special permit to allow such licensee to sell or dispense alcoholic liquor, including beer, on the licensed premises until the hour of 2:00 o'clock A.M. on a specific date designated on the application for the special permit.

a. Approval of the special permit shall require a two-thirds majority vote of the members of the City Council.

b. Each special permit shall be valid for one day only unless the request specifically asks for a longer period which may not exceed a maximum of two consecutive days.

c. Applicants for such special permit shall pay a fee set by resolution of the City Council prior to the issuance of the permit.

(2) It shall be unlawful on property licensed to sell alcoholic liquor at retail to allow alcoholic liquor in open containers to remain or be in possession or control of any person for purposes of consumption between the hours of fifteen minutes after the closing hour applicable to the licensed premises and 6:00 o'clock A.M. on any day.

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(3) Nothing in this section shall prohibit licensed premises from being open for other business on days and hours during which the sale or dispensing of alcoholic liquor is prohibited by the laws of the State of Nebraska.

Section 2: This Ordinance shall take effect and be in full force from and after its passage, approval, and publication as provided by law.

Section 3: Original section 10-117 of the Municipal Code of the City of Wakefield, Nebraska and all ordinances or parts of ordinances in conflict herewith are hereby repealed.

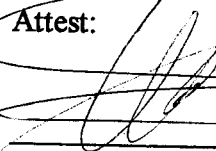
PASSED AND APPROVED this 24TH day of MARCH, 2011.

CITY OF WAKEFIELD, NEBRASKA

By

  
Jim Clark, Mayor

Attest:

  
Kathy Skinner, City Clerk

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CERTIFICATE

MAR 30 2011

NEBRASKA LIQUOR

CONTROL COMMISSION

I do hereby certify that the attached document is a true and correct copy of the Ordinance  
Number 5-2011 executed by the Mayor on behalf of the City of Wakefield on March 24, 2011, and  
all on file with the Office of the City Clerk of Wakefield, Nebraska and the same is still in full force  
and effect.

Dated: March 25, 2011

(SEAL)



Kathy Skinner, City Clerk